

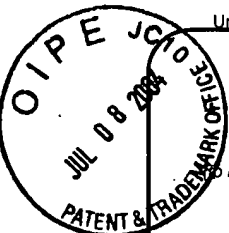
1615
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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

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|------------------------|---------------|
| Application Number | 09/856,415 |
| Filing Date | July 2, 2001 |
| First Named Inventor | TALTON et al. |
| Art Unit | 1615 |
| Examiner Name | SHEIKH, H. |
| Attorney Docket Number | 5853-186 |

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Pages 2-9 of Amendment Previously Submitted; 1 Postcard |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--------------------------------------|
| Firm or Individual name | Neil R. Jetter AKERMAN SENTERFITT |
| Signature | |
| Date | July 6, 2004 |

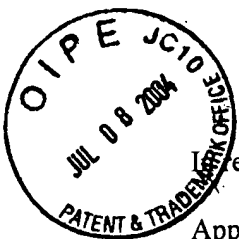
CERTIFICATE OF TRANSMISSION/MAILING

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|-----------------------|----------------|------|--------------|
| Typed or printed name | Neil R. Jetter | | |
| Signature | | Date | July 6, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Application of TALTON et al.

Application No.: 09/856,415

Examiner: SHEIKH, HUMERA.

Date Filed: July 2, 2001

Group: 1615

For: METHODS FOR PREPARING COATED DRUG PARTICLES
AND PHARMACEUTICAL FORMULATIONS THEREOF

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being deposited
with the U.S. Postal Service as First Class mail in an envelope
addressed to the Commissioner for Patents, Alexandria, VA 22313-1450,
on July 6, 2004.

Neil R. Jetter

Reg. No. 46,803

RESPONSE TO NOTICE OF NON COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant received a Notice of Non-Compliant Amendment ("Notice") in the above-referenced Application dated June 29, 2004. The Notice indicates that the Amendment filed on May 28, 2004 did not contain a complete listing of all the claims. In response, Applicants submit along with a timely filed Response to Notice of Non-Compliant Amendment, revised pages 2-9 of the Amendment which now contains a complete listing of all the claims and which overcomes the objection and otherwise complies with 37 CFR 1.121.

Applicants believe that no fee is due; however, should any fees be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Akerman Senterfitt Deposit Account No. 50-0951.

Respectfully submitted,

Date: 7/6/04

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Telephone: (561) 653-5000

Docket No. 5853-186

{WP187556;1}